

c) Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A non-invasive method for gene regulation during gene therapy comprising the steps of:
 - (a) introducing electromagnetic field response elements into a gene promoter not having any electromagnetic field response elements in vitro;
 - (b) then introducing the gene promoter from step (a) into a subject mammal to serve as switches for regulating exogenously introduced genes; and
 - (c) ~~(b)~~ applying an electromagnetic field to the introduced electromagnetic field response elements to induce gene expression in the subject mammal.
2. (Original) The method as set forth in claim 1, wherein the introduced electromagnetic field response elements are nCTCTn sequences in an HSP70 gene promoter.
3. (Currently Amended) The method as set forth in claim 2, wherein three nCTCTn sequences in an HSP70 promoter are ~~is~~ introduced.
4. (Original) The method as set forth in claim 3, wherein the nCTCTn sequences lie between about -230 and about -160 in the HSP70 gene promoter.

5. (Original) The method as set forth in claim 1, wherein the introduced electromagnetic field response elements are nCTCTn sequences in a c-myc gene promoter.
6. (Currently Amended) The method as set forth in claim 5, wherein eight nCTCTn sequences in a c-myc gene promoter are ~~is~~-introduced.
7. (Original) The method as set forth in claim 6, wherein the nCTCTn sequences lie between about -1257 and about -353 in the c-myc gene promoter.
8. (Original) The method as set forth in claim 1, wherein the electromagnetic field is applied at a field strength of about 8 μ T and a frequency of about 60Hz for a time of about 30 minutes.
9. (Currently Amended) A non-invasive method for gene regulation during gene therapy comprising the steps of:
 - (a) introducing at least one electromagnetic field response elements into a gene promoter not having any electromagnetic field response elements in vitro;
 - (b) then introducing the gene promoter from step (a) into a subject mammal to serve as switches for regulating exogenously introduced genes; and
 - (c) ~~(b)~~ applying an electromagnetic field to each introduced electromagnetic field response element to induce gene expression in the subject mammal.--
10. (Original) The method as set forth in claim 9, wherein each

Applicants: Reba Goodman, et al
U.S. Serial No.: 09/769,902
Filed: January 25, 2001
Page 5

introduced electromagnetic field response element is an nCTCTn sequence in an HSP70 gene promoter.

11. (Original) The method as set forth in claim 9, wherein each introduced electromagnetic field response element is an nCTCTn sequence in a c-myc gene promoter.
12. (Original) The method as set forth in claim 9, wherein the electromagnetic field is applied at a field strength of about $8\mu\text{T}$ and a frequency of about 60Hz for a time of about 30 minutes.